

1 CHRISTOPHER W. MIXSON, ESQ. (SBN 10685)
2 KEMP JONES LLP
3 3800 Howard Hughes Parkway, Suite 1700
4 Las Vegas, NV 89169
5 Phone: (702) 385-6000
6 c.mixson@kempjones.com

7 SCOTT LAKE (SBN 15765)
8 CENTER FOR BIOLOGICAL DIVERSITY
9 P.O. Box 6205
10 Reno, NV 89513
11 Phone: (802) 299-7495
12 slake@biologicaldiversity.org

13 RYAN A. SHANNON (SBN 155537) (admitted *Pro Hac Vice*)
14 CENTER FOR BIOLOGICAL DIVERSITY
15 P.O. Box 11374
16 Portland, OR 97211
17 Phone: (503) 283-5474 ext. 407
18 rshannon@biologicaldiversity.org

19 *Attorneys for Plaintiff*

20 **UNITED STATES DISTRICT COURT**
21
DISTRICT OF NEVADA

22 CENTER FOR BIOLOGICAL DIVERSITY,

23 Case No. 2:20-cv-02131-RFB-DJA

24 Plaintiff,

25 vs.

26 DEBRA HAALAND et al.,

27 Defendants,

28 and

LEE CANYON SKI LIFTS, INC.,

Defendant-Intervenor

**FOURTH STIPULATION AND
[PROPOSED] ORDER FOR
EXTENSION OF THE BRIEFING
SCHEDULE**

29 Pursuant to Fed. R. Civ. P. 6(b) and LR IA 6-1, Plaintiff CENTER FOR BIOLOGICAL
30 DIVERSITY, by and through its attorneys; and Federal Defendants DEBRA HAALAND, in her
31 official capacity as Secretary of the U.S. Department of the Interior, MARTHA WILLIAMS, in her
32

1 official capacity as Principal Deputy Director of the U.S. Fish and Wildlife Service, GLEN
2 KNOWLES, in his official capacity as Field Supervisor of the Southern Nevada Fish and Wildlife
3 Office; U.S. FISH AND WILDLIFE SERVICE; WILLIAM DUNKELBERGER, in his official
4 capacity as Humboldt-Toiyabe National Forest Supervisor, and the U.S. FOREST SERVICE
5 (collectively “Federal Defendants”), by and through their attorneys; and Defendant-Intervenor LEE
6 CANYON SKI LIFTS, INC., by and through its attorneys, hereby stipulate to an extension of the
7 briefing schedule. Plaintiff’s motion for summary judgment is currently due on October 19, 2021.
8
9 *See ECF 37 at 1-2. This is the fourth stipulation for an extension of time for the briefing schedule.*

10 The parties propose the following briefing schedule in place of the current one:

11 1. Deadline for Plaintiff to file its motion for summary judgment, which will be limited to 45
12 pages: December 14, 2021
13
14 2. Deadline for Federal Defendants to file their response to Plaintiff’s motion, and any cross-
15 motion for summary judgment, which brief will be limited to 40 pages: January 11, 2022
16
17 3. Deadline for Defendant-Intervenor to file its response to Plaintiff’s motion, and any cross-
18 motion for summary judgment, which brief will be limited to 30 pages: February 1, 2022
19
20 4. Deadline for Plaintiff to file its combined response and reply, which brief will be limited to
21 40 pages: March 1, 2022
22
23 5. Deadline for Federal Defendants to file any reply, which brief will be limited to 25 pages:
24 April 4, 2022
25
26 6. Deadline for Defendant Intervenor to file any reply, which brief will be limited to 20 pages:
27 April 18, 2022

28
29 This stipulation is warranted because settlement discussions between the parties are
30 continuing. The parties would like to bring this matter to conclusion without further litigation, if
31 possible, and believe that more productive settlement discussions would be facilitated by an
32

1 extension of the current briefing schedule. The parties acknowledge that this is the fourth stipulated
2 request for an extension of the briefing schedule. However, the parties represent that they continue to
3 work together in good faith to find a mutually acceptable resolution in the most timely fashion
4 practicable.

5
6 Dated: October 18, 2021

Respectfully submitted,

7 /s/ Scott Lake
8 Scott Lake
9 Nevada Bar No. 15765
10 Center for Biological Diversity
11 P.O. Box 6205
12 Reno, NV 89513
(802) 299-7495
13 slake@biologicaldiversity.org

14 *Counsel for the Center for Biological Diversity*

15 TODD KIM
16 Assistant Attorney General

17 /s/ Taylor A. Mayhall
18 Taylor A. Mayhall, Trial Attorney
19 MN Bar No. 0400172
Environment & Natural Resources Division
Wildlife & Marine Resources Section
P.O. Box 7611
20 Washington, D.C. 20044
Tel. (202) 598-3796
21 taylor.mayhall@usdoj.gov

22 PAUL G. FREEBORNE, Trial Attorney
23 VA Bar No. 33024
Natural Resources Section
24 P.O. Box 7611
Washington, D.C. 20044
25 Tel: (202) 532-5271
paul.freeborne@usdoj.gov

26
27 BRIDGET K. MCNEIL, Senior Trial Attorney
28 CO Bar No. 34299

1 Wildlife and Marine Resources Section
2 999 18th St., South Terrace, Suite 370
3 Denver, CO 80202
4 Tel: (303) 844-1484
5 bridget.mcneil@usdoj.gov

6 *Attorneys for Federal Defendants*

7 /s/ Amy F. Sorenson
8 AMY F. SORENSEN
9 Snell & Wilmer, LLP
10 3883 Howard Hughes Parkway
11 Suite 1100
12 Las Vegas, NV 89169
13 Tel: 801-257-1907
14 Fax: 801-257-1800
15 Email: asorenson@swlaw.com

16 KELLY H. DOVE
17 Snell & Wilmer LLP
18 3883 Howard Hughes Parkway
19 Las Vegas, NV 89169
20 (702) 784-5200
21 Fax: (702) 784-5252
22 Email: kdove@swlaw.com

23 *Attorneys for Defendant-Intervenor*

24 **IT IS SO ORDERED.**

25 DATED: October 18, 2021.

26 
27 **RICHARD E. BOULWARE, II**
28 **United States District Court**

1
CERTIFICATE OF SERVICE

2
I hereby certify that today I electronically filed the foregoing FOURTH STIPULATION AND
3 [PROPOSED] ORDER FOR EXTENSION OF THE BRIEFING SCHEDULE with the Clerk of the
4 Court using the CM/ECF system, which will send notification of such upon all attorneys of record.

5
Dated this 18th day of October, 2021.

6
/s/ Scott Lake

7
Scott Lake

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28